

CR15-00707-PHX-SRB

DANIEL VAN HOOK

3-3-16

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

United States of America,)
)
Plaintiff,)
)
vs.) CR15-00707-PHX-SRB
) Phoenix, Arizona
) March 3, 2016
Abdul Malik Abdul Kareem,)
)
Defendant.)
)
)
)

BEFORE: THE HONORABLE SUSAN R. BOLTON, JUDGE
EXCERPT OF REPORTER'S TRANSCRIPT OF PROCEEDINGS
JURY TRIAL - DAY #11
TESTIMONY: DANIEL VAN HOOK

APPEARANCES:

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E X C E R P T O F P R O C E E D I N G S

THE CLERK: Please state your name for the record and spell your last name.

THE WITNESS: Daniel Van Hook. V-A-N H-O-O-K.

THE COURT: Is that all one word or is it with a capital H?

THE WITNESS: Capital H.

THE COURT: Okay. Thank you.

You may proceed, Ms. Plomin.

MS. PLOMIN: Thank you.

DANIEL VAN HOOK, WITNESS, SWORN

DIRECT EXAMINATION

BY MS. BROOK:

Q Good afternoon, Mr. VanHook.

A Hello.

Q Hello. Mr. VanHook, do you know the gentleman who is sitting here at defense counsel table to my right?

A Yes.

Q All right. And who is that?

A Decarus Thomas.

Q So you call him Decarus?

A Yes.

Q All right. And just for the record, I'm referring to the gentleman sitting in the blue; is that right?

A Yes.

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1 Q Okay. And when did you meet Decarus?

2 A I would say back in 1994, 1995.

3 Q At that time how old were you?

4 A '95 I graduated from high school, so I guess I was about
5 17.

6 Q The year you graduated from high school?

7 A Yeah.

8 Q And how old was Decarus when you met him?

9 A Let's see. I'm 38, so he's probably, what, about five
10 years above me, so 18, 19, 21 -- about 22, 23.

11 Q How did you meet him?

12 A He is my best friend's sister's boyfriend.

13 Q He was back then?

14 A Yes.

15 Q And who is your best friend?

16 A James Newman.

17 Q And so you met Decarus through Mr. Newman; is that right?

18 A Yes.

19 Q Okay. Now did you become friends with Decarus?

20 A Yes.

21 Q And how close of friends were you back then?

22 A Well, back then we were pretty good friends. We hung out.
23 Me, him, James, a few other of other buddies. Like our
24 families are really good friends, yeah.

25 Q So how often would you see him?

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1 A Back then?

2 Q Yes.

3 A Well, I would say maybe once a week, maybe twice a week.
4 We didn't go to their house a lot because he used to stay
5 across the street from James and his family.

6 And Michelle, she was his girlfriend at the time,
7 they stayed directly across. I was over at James house a lot,
8 so, yeah.

9 Q And are you still good friends with Decarus today?

10 A Yes.

11 Q And as of June of last year, had your relationship with
12 Decarus changed from the time you met him to June of 2015?

13 A No. I wouldn't say.

14 Q And have you ever been to the house on Cochise where
15 Decarus lived?

16 A Yes.

17 Q How frequently did you go to that house?

18 A About once a week, sometimes twice a week, once a week.

19 Q What did you do when you went over to Decarus's house?

20 A He cooked, so we ate, drank, had beers, talk.

21 Q And who else was Decarus -- or did you spend time with at
22 Decarus's house? Who else did you spend him with at Decarus's
23 house?

24 A The other people that lived there, the other roommates;
25 Stefan, Billy. Oh, who is the other guy? Ricky. And

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1 Stefan's girlfriend. Those are the other people that lived in
2 the house.

3 Q And by "Stefan," do you know Stefan's last name?

4 A I think it's Verdugo or Verzugo, something like that.

5 Q And do you know his girlfriend's name?

6 A I know her first name, Janine.

7 Q And you said "Ricky." Do you know Ricky's last name?

8 A No.

9 Q And do you know Billy's last name?

10 A No.

11 Q And did you ever meet a man by the name -- that went by
12 "Ibrahim"?

13 A Yes.

14 Q Where did you meet him?

15 A At Decarus's house.

16 Q And how frequently would you see Ibrahim at Decarus's
17 house?

18 A He wasn't there often. I would see him like, maybe, I
19 spent like maybe once a week over there, so maybe two to three
20 times of the month maybe.

21 Q So two to three times a month?

22 A Yeah.

23 Q And when you would hang out and drink beers at Decarus's
24 house, would Ibrahim be there?

25 A When we're drinking beer? No. Not at the time, no.

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1 Q Did Decarus drink in front of Ibrahim as far as you knew?

2 A No.

3 Q So I want to focus on the period of November 2014 through
4 March of 2015 when Decarus --

5 Are you aware that Decarus ultimately moved out of
6 the house on Cochise?

7 A Yes.

8 Q Do you know when that was?

9 A I don't know the exact date, no, but I would say maybe it
10 was the summer of 2015 or somewhere around there. I don't
11 know the exact date though.

12 Q Well, let's talk about from November of 2014 to when
13 Decarus moved out of the house on Cochise.

14 A Uh-huh.

15 Q Were you still going there -- how often were you going
16 over to the Cochise house during that time period?

17 A When Decarus had moved out?

18 Q No. Before he moved out?

19 A Oh, before he moved out? About once, twice a week.

20 Q Okay. And you were doing the same thing that you said you
21 were doing, drinking beers over there?

22 A Yeah. He would cook, so we would eat. He would also cut
23 my hair. He's a barber, so he would cut my hair. Like Friday
24 I would get off after work, go eat, get my hair cut, maybe
25 have a beer, talk.

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1 Q And during that time period did you notice any changes in
2 Decarus from how you had known him before?

3 A No.

4 Q And are you Muslim?

5 A No.

6 Q What religion are you?

7 A I'm Christian.

8 Q And how did Decarus treat you as a Christian person?

9 A Good. The same. Like he treated me when I first met him.
10 I don't think it really mattered my religion. He didn't treat
11 me bad or anything. He knows that I'm Christian and my family
12 is Christian.

13 Q And you say "your family." Is your mom here watching
14 today?

15 A Yes.

16 Q All right. And how long has Decarus known her?

17 A Same amount of time, so 1994/'95. Our families know each
18 other just like James family. All of our moms know each
19 other. We know his siblings. He knows my siblings. Kind of
20 like that. We moved out here from California. They are from
21 Philadelphia. So our families kind of became family, you
22 know, because we're all out of state.

23 Q And how did Decarus treat your mom as a Christian?

24 A Very respectful. Good.

25 Q You're smiling. Why?

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1 A Because he treats my mother with the utmost respect, you
2 know, kind of calls her Miss Rhonda. And her first name is
3 Rhonda, so he treated her very respectful.

4 Q Up until when he was arrested, did he still treat her
5 respectfully up to June of 2015?

6 A Yes.

7 Q Did you ever hear Decarus use the term "kafir"?

8 A Yes.

9 Q And in what context did you hear him use that term?

10 A To me, like in a joking context.

11 Q All right. In a joking context.

12 Can you explain that a little more?

13 A Yeah. Like if we're talking about something, he would
14 say, oh, you don't understand, you kafir, oh, ha, ha, ha, and
15 start laughing. Like, man, be quiet, you know, you don't even
16 know what "kafir" means.

17 Q Did you ever feel threatened when Decarus called you a
18 kafir?

19 A No.

20 Q Now, I want to talk about your relationship with Stefan
21 Verdugo. How do you know Stefan Verdugo?

22 A Through Decarus. He was one of Decarus's movers.

23 Q Do you know when you met him?

24 A We've known Stefan for a long time, so I would say -- I
25 don't know when he met him, but I know that he has known him

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1 for a very long time.

2 Q When did you meet him?

3 A Oh, I met Stefan about ten years ago, maybe.

4 Q And did you become friends with Stefan Verdugo?

5 A Yes.

6 Q And you said that you and Stefan Verdugo would be at the
7 Cochise house together?

8 A Yes.

9 Q And during that time -- and I want to focus on from
10 November 2014 to when Decarus moved out of the Cochise house.

11 During that time were you ever with Stefan when
12 Decarus told you he was a part of ISIS?

13 A No.

14 Q Did Decarus ever tell you he was a part of ISIS?

15 A No.

16 Q Were you ever with Stefan when any kind of videos were
17 played depicting ISIS or execution-style videos?

18 A No.

19 Q Did you ever see any of those types of videos being played
20 at Decarus's house?

21 A No.

22 Q Did Decarus ever show you any of those types of videos?

23 A No.

24 Q Did you ever see Decarus pull a gun on Mr. Verdugo?

25 A No.

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1 A Yes.

2 Q How did the people at that house differentiate between the
3 two Billies?

4 A One Billy is black and the other Billy is white.

5 Q Okay. So did they have nicknames?

6 A Yes.

7 Q Who gave them those nicknames, if you know?

8 A I'm not sure who gave them the nicknames, but they did
9 have nicknames.

10 Q And did Decarus Thomas use those nicknames with them?

11 A Yes.

12 Q What were their nicknames?

13 A White Billy and Black Billy.

14 Q Did you spend any time at the 21st Drive apartment after
15 Decarus Thomas moved out of the house on Cochise?

16 A Yes.

17 Q How often would you visit there?

18 A Oh, not as often, but I would say maybe once every two
19 weeks maybe.

20 Q And when you went there was Elton Simpson there?

21 A No.

22 MR. KOEHLER: If I can have a moment?

23 No further questions.

24 THE COURT: Any questions on redirect, Ms. Plomin?

25 MS. PLOMIN: Just one moment, Your Honor.

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1 No, Your Honor. Thank you.

2 THE COURT: May this witness be excused and released
3 from his subpoena?

4 MS. PLOMIN: Yes.

5 THE COURT: Thank you. You may be excused.

6 THE WITNESS: I have a question.

7 After you are a witness, because I've never been
8 through anything like this before, are you allowed to stay and
9 hear the rest of the trial?

10 THE COURT: Yes.

11 THE WITNESS: Okay.

12 All right. That's it. Thank you.

13 (End of Excerpt of Proceedings.)

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C E R T I F I C A T E

I, ELIZABETH A. LEMKE, do hereby certify that I am duly appointed and qualified to act as Official Court Reporter for the United States District Court for the District of Arizona.

I FURTHER CERTIFY that the foregoing pages constitute a full, true, and accurate transcript of all of that portion of the proceedings contained herein, had in the above-entitled cause on the date specified therein, and that said transcript was prepared under my direction and control.

DATED at Phoenix, Arizona, this 8th day of March, 2016.

s/Elizabeth A. Lemke
ELIZABETH A. LEMKE, RDR, CRR, CPE